

HONORING LEE LEONARD FOR A
DISTINGUISHED CAREER IN
JOURNALISM

HON. PATRICK J. TIBERI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 5, 2005

Mr. TIBERI. Mr. Speaker, a most distinguished career in journalism is coming to an end with the retirement of Columbus Dispatch statehouse reporter Lee Leonard. The dean of the Ohio Capitol press corps, Lee's career has spanned five decades, with most of that time spent covering state government and politics in Columbus.

Lee began his journalism career with United Press International in Boise, Idaho in 1962 and spent six years with UPI in Harrisburg, Pennsylvania covering state government. He moved to Columbus in 1969 and became manager of UPI's Statehouse bureau. Lee has covered 11 national political conventions, interviewed former presidents Eisenhower and Carter and was voted one of UPI's 20 most respected bylines in a national survey of subscribing newspaper editors. Among his many awards and honors is a first place prize from the Press Club of Cleveland in 2001 for politics and government writing.

For the last 15 years, Lee has reported for the Columbus Dispatch. He is a living Statehouse encyclopedia who is widely respected and admired, both by his journalistic peers and those in state government. It's not surprising that "Just call Lee" has become a common refrain at the Dispatch offices whenever a question has arisen about state government.

As a former state legislator who has enjoyed many dealings with Lee over the years, I am glad to join his family, friends and colleagues in wishing him a long and active retirement.

HONORING THE DEDICATION OF
REVEREND EDWARD L. HAYES

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 5, 2005

Mr. CUELLAR. Mr. Speaker, I rise today to honor the important contributions of the Reverend Edward L. Hayes.

Reverend Hayes, who was born in 1948, is a long-time Texan. He attended school in the San Antonio area and later became a graduate of the Guadalupe Seminary. In 1982 Reverend Hayes was ordained to the ministry at Shiloh. He served as Pastor at St. Frederick Baptist Church for nine years before moving to St. Stephen Baptist Church in October of 1994.

A dedicated and passionate member of our local community, Reverend Hayes has worked tirelessly as the MLK Commission Chairman for San Antonio and has been instrumental in the Meals on Wheels for Christian Senior Services program. His dedicated community service has helped those who need it the most.

It is important to recognize the good work of spiritual leaders in our community. The service and leadership of people like Reverend Hayes

is important, especially for the elderly or less fortunate among us. Reverend Hayes spends his days providing not only community guidance, but also leading by his good example.

Reverend Edward Hayes and his wife Rice have three children and one grandchild. Rice Hayes is a local teacher at the Judson School District.

Mr. Speaker, I am proud to have this opportunity to recognize the contributions of Reverend Edward L. Hayes.

THE INTRODUCTION OF THE FEDERAL EMPLOYEES WITH DISABILITIES PROTECTION ACT

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 5, 2005

Mr. VAN HOLLEN. Mr. Speaker, I am proud today to introduce the Federal Employees with Disabilities Protection Act.

The Federal Employees with Disabilities Protection Act (FEDPA) simply states that in cases where federal jobs are contracted out, a federal employee should not lose his or her job if that employee is an individual with a significant physical or developmental disability and had been hired under a program designed for individuals with such disabilities.

The FEDPA was drafted to respond to a particular situation that occurred at the National Naval Medical Center in Bethesda, Maryland. In the fall of 2003 I visited the Hospital, which has developed an innovative and successful program hiring developmentally disabled individuals from our local community to work in its kitchen and cafeteria. Many of these individuals have worked there for more than twenty years. They are hard-working, reliable, and beloved by the naval officers and staff. I was shocked to learn that the Administration had selected these positions to be subject to competitive sourcing. In other words, these hard-working disabled employees, who had been hired under a federal program designed specifically to hire the severely disabled, would be forced to compete for their own jobs against people who were not disabled, leaving them on the verge of losing their jobs. I wrote the President about this injustice and am pleased that as a result of our timely intervention, plans to compete these jobs have been withdrawn and these individuals have been able to keep their jobs and the sense of dignity that comes with them.

But it is unconscionable that other severely disabled federal workers might have to suffer through the same thing. The FEDPA will protect federal employees with severe disabilities from losing their federal jobs as a result of contracting out. The bill does allow for jobs to continue to be contracted out to organizations like NISH (formerly known as the National Institute for the Severely Handicapped) and the National Industries for the Blind covered under the Javits-Wagner-O'Day Act (JWOD). JWOD established specific programs to hire the severely disabled; it is not the intention of the FEDPA to interfere with JWOD.

The FEDPA is supported by many advocates for the disabled, including ANCOR (The American Network of Community Options and Resources), The Public Policy Collaboration of United Cerebral Palsy and the Arc of the

United States. Federal employee unions supporting FEDPA include the National Association of Government Employees (NAGE) and the Service Employees International Union (SEIU). The FEDPA also has the support of the Professional Services Council, one of the principal organizations representing government contractors, because they agree that supporting employment opportunities for the disabled is important.

Mr. Speaker, I believe that everyone in this body wants to protect employment opportunities for the severely disabled. I urge my colleagues to support and cosponsor the Federal Employees with Disabilities Protection Act.

I am submitting for the RECORD an article that was published by The Washington Post on October 14, 2003 that describes the situation involving the scullery workers at the National Naval Medical Center.

[From the Washington Post, Oct. 14, 2003]

IN BETHESDA, HIRING POLICY, 'COMPETITIVE SOURCING' CLASH

NAVAL MEDICAL CENTER CONSIDERS REPLACING
DISABLED WORKERS

(By Christopher Lee)

President Bush's efforts to make government run more like a business collided this month with the reality that, in many ways, government is not a business.

For the 2 two years, the Navy, as part of the Bush administration's initiative, has been studying whether a private contractor should take over the custodial and food services provided by 21 federal employees at the National Naval Medical Center in Bethesda.

It is just one small example of Bush's "competitive sourcing" initiative, which requires hundreds of thousands of civil servants across the government to prove they can do their work better and more cheaply than a private contractor, or risk seeing the work outsourced.

But in one important way the 21 workers in the hospital scullery are different: All are mentally retarded, beneficiaries of federal policies that promote the employment of people with disabilities.

To their supporters, the administration's requirement that they compete for their jobs misses the point that government employment has always been about more than the bottom line. Through various policies and laws, federal agencies for decades have gone out of their way to hire members of certain populations, from veterans to disabled people to welfare mothers and students.

"There are different goals of the federal government, and one of those goals is to get different people into real jobs," said Representative Chris Van Hollen (D-Md.), who met last month with the scullery workers at the hospital, which is in his district. "And this [policy] will undercut that goal."

Bush has strongly defended "competitive sourcing," calling it one of his most important management initiatives. He says forcing government workers to compete with private contractors for their jobs promotes government efficiency and saves taxpayer dollars—even if the jobs stay in-house. An Oct. 3 report by the Office of Management and Budget said federal agencies have identified 434,820 jobs that are ripe for such competition, of which 103,412 are being evaluated for possible contracting out.

"We are confident that the savings and service benefits expected from this effort will soon follow," Clay Johnson III, OMB's

deputy director for management, said that day.

That provides scant comfort to employees such as Deborah Shapiro, 30, who has worked at the hospital scullery for 10 years and worries what will happen if she loses her job.

"I like working here," Shapiro said the other day while taking a break from the first half of her eight-hour shift. "I work on the belt. I help push carts upstairs sometimes. I wash plates, pick silverware—I do everything."

Shapiro landed the job after interning at the hospital while a student at Rock Terrace School, a public campus in Rockville that serves 112 special-needs children in grades 6 through 12. "I live in a group home and I have to pay the rent there," said Shapiro, her dark curls tucked neatly under a hairnet. "And I have to work, or else they'll ask me to leave. I don't want to leave my friends. I don't want to leave my house. It's too nice."

The work isn't easy. The employees, clad in blue uniforms and white plastic aprons, remove trash and utensils from used trays as they navigate across a water-slicked red tile floor. Many wear earplugs to block out the drone of the industrial dishwasher that cleans the dishes and trays that pass through it on a conveyor belt before the workers retrieve and stack them in neat piles. Shifts begin at 5:30 a.m. and finish as late as 7 p.m.

James Eastridge, 38, another former Rock Terrace student, has worked in the kitchen for 22 years. That is long enough for him to earn several promotions and enough money to buy a house in Hagerstown, where he lives with his parents.

"I started out when I was 16 years old and just kept on working; the years just flew by," he said. "I hope we get to keep the jobs. When I was in school, I was pretty wild. They got me in the job . . . and I've been doing good ever since I've been here."

Randy Severt, a teacher at Rock Terrace, said more than 300 students have interned or worked at the hospital since the school formed a partnership with the institution in 1979. The Navy got reliable, long-serving employees for hard-to-fill positions. The students, who earn between \$9.42 and \$12.80 an hour, were given an opportunity to work, learn about money management and become more self-sufficient.

Providing such opportunities is a long-standing goal of the federal government. The Rehabilitation Act of 1973 banned discrimination against disabled people in federal hiring and required agencies to develop affirmative action plans to hire more people with disabilities.

Most of the scullery workers joined the hospital under a federal hiring authority that allows agencies to take on people with mental retardation as provisional employees, then convert them to permanent status after two years of satisfactory service. The government employed 1,734 mentally retarded workers in 2000, about one-tenth of 1 percent of the 1.8 million-strong federal civilian workforce, according to the Office of Personnel Management. (Overall, more than 120,000 disabled people worked for the government that year, more than 7 percent of the federal workforce.)

If the hospital scullery work goes to a private contractor, it will mean a big adjustment for a group of workers who, due to circumstances and disability, do not cope well with change, Severt said.

"They have problems finding jobs on their own. They don't advocate well for themselves and they don't have a lot of skills," Severt said. "Some of them can speak well. Some of them have very good social skills. But they are retarded, and they need help every step of the way. They just don't adapt."

Hospital officials say the quality of the work isn't at issue. "They're very loyal employees," said Cmdr. Martie Slaughter, the hospital's nutrition manager. "I've only been here for two years and they are like my family."

In similar competitions across the government, the in-house bid has triumphed more than half the time, according to the OMB. Even in the cases where the private sector has won, the employees often have gone to work for the contractor. But the scullery employees are at a decided disadvantage.

"If you are special needs, you have a great need for greater supervision," Slaughter said. "And we all know that supervision costs money."

Jerry Leener, whose son Mike, 27, has worked at the hospital for eight years, said that even a White House focused on the bottom line should realize there is little to be gained by contracting out the work. Displaced employees would turn to government entitlement programs, including federal disability payments, Medicaid and food stamps. "If our kids lose their jobs, the federal government is still going to have to compensate them," Leener said. "Either way, it's going to be coming out of federal funds. So we haven't had a cost saving as it relates to these kids. What's more, we've displaced them from their passion. They love working here. They love being a part of this."

Military officials have been sympathetic but unmoved. Slaughter said that early on in the process she asked about getting a waiver for the workers, but none was forthcoming. Over the last year, parents of some workers have written to Navy officials and members of Congress seeking help, but with no concrete results.

As recently as two weeks ago, Navy officials said they were still studying the situation. Parents of the workers grew nervous as a December deadline loomed for the hospital to submit its bid to keep the scullery jobs in-house. They were told that a decision on whether a contractor would take over could come as soon as March.

Then on Oct. 2, 10 days after Van Hollen's visit to the scullery and after inquiries by The Washington Post, Navy officials passed the word internally that they had been directed to temporarily stop working on the job competition. "The study has not been cancelled, but postponed until further notice," an internal e-mail said.

Parents said they were given a vague explanation that the job competition had gone on longer than current law permits. A provision in the recently passed 2004 Defense Appropriations bill blocks new funding for single-function job competitions that have exceeded 24 months, and multifunction competitions that have exceeded 30 months. Navy officials at the hospital did not respond to two requests for more information about the decision.

"I have a suspicion that they were starting to feel political pressure and decided to put it on hold, and that maybe this thing would blow over," said Leener, who added that he remains uncertain about whether his son's job is safe. "We took it as a big victory, believe me, but it's a temporary one."

Trent Duffy, an OMB spokesman, said agencies may cancel job competitions that jeopardize protected workers, such as veterans or disabled people. "It is permissible for agencies to make that determination and cancel a competition because these protected populations, these certain people, could potentially lose their livelihoods," Duffy said. "They absolutely have that discretion under the law." Van Hollen, who wrote a letter to Bush urging him to halt the study, said he viewed the Navy's decision as little more than political expediency. He still believes

competitive sourcing is "a one-size-fits-all contracting-out policy that does not take into account other important goals of the federal government," he said.

"I still think it's an example of their policy run amok," Van Hollen said. "There's no doubt what happened here. You want to applaud the Navy for reversing its decision, but you can't have a member of Congress or a member of the press visit every site where you've got . . . contracting out going on with model programs."

CONGRATULATIONS TO WESTINGHOUSE WARRIORS CITY BASKETBALL TITLE

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 5, 2005

Mr. DAVIS of Illinois. Mr. Speaker, on February 26 the young men of George Westinghouse Career Academy High School's basketball team, lead by coach Quitman Dillard, won their fourth City Championship in the last six seasons.

The game was never really in doubt and second place Simeon could never get any closer than eight points in the second half.

By a score of 67-52, Westinghouse clinched their place at the top of the Chicago Public League, according to press reports, one of the Nation's top high school basketball proving grounds.

The 72 team Chicago City league is reportedly used by some college coaches as a benchmark for the success of their recruiting efforts.

The Westinghouse team was powered by DeAndre Thomas, rated by many as the best high school player in Illinois. Thomas scored 29 points, snagged 9 rebounds and had three assists.

However, the victory was definitely a team effort. Westinghouse had 23 assists.

Marquis Johnson scored 14 points and secured 11 rebounds. Kris Harris and Corey Caston each scored nine points. Caston had 7 assists.

Mr. Speaker, Westinghouse Career Academy, which serves the Austin, South Lawndale and West Garfield Communities, is a public school fighting its way to the top in every category.

Eighteen percent of its almost 1400 students are enrolled in honors classes. They were City champs in the C-CAP culinary arts competition.

Westinghouse students have earned nine medals in Academic Decathlon competition.

Tonight, Mr. Speaker, I salute Westinghouse Career Academy and Principal Dr. Lona C. Bibbs.

The Westinghouse Warriors are setting an example for the entire school by now setting their sights on the next task: the State finals. All Chicago wishes them the very best.

The Westinghouse Warriors have, through their hard work, their determination and their talent, achieved a remarkable record.

Congratulations to the Westinghouse team, their coach and to each of these outstanding young athletes individually.